

**DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
& DIVISION OF MINES**

GUIDANCE MEMORANDUM¹ No. 21-07

Issue Date: December 10, 2007; **Revised August 27, 2008**

Subject: Submittal of Electronic Engineers Signatures and Seals for Maps, Drawings and Plans

This memorandum is intended to provide guidance for the use of electronic signatures and seals on documents, digital maps, plans, and drawings submitted to the Division of Mined Land Reclamation (DMLR) and the Division of Mines (DM).

The Virginia Enterprise Applications Program and the Virginia Department of Mines, Minerals and Energy (DMME) have established a pilot implementation of the Access Certificates for Electronic Services (ACES) certificate program. IdenTrust has been selected as a provider for this program which will be used by both DMME and the Virginia Department of Transportation (VDOT).

The IdenTrust ACES program will allow the DMME to accept digitally signed maps and related official documents from each person authorized to act on behalf of the company or organization and professional engineers, land surveyors, or others who must sign and affix a seal to their work product. These digitally signed documents must comply with the electronic seal requirements of **Virginia Code § 59.1-496**, the Virginia's Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers & Landscape Architects statute, Title 54.1, Chapter 4, and/or excerpts from Title 13.1.

The acceptance of digital seals and signatures will assist DMME's processing of fully electronic permits and licenses. For additional details concerning the submission of digitally signed documents, please refer to the DMME link at <http://www.identrust.com/virginia/dmme.html>. The use of the IdenTrust digital signature technology, as allowed under §18VAC10-20-760(B) (1) (a), will eliminate the need to submit hard copy letters, forms, and professional engineer signatures and seals.

Effective immediately, DMLR and DM will accept all maps, plans, and drawings in an electronic or digital format. These digital files need to be submitted as both **PDF** and **DWG files**. **The scanned image of the professional's seal should be attached in Item 21.1 of the electronic permit application; the PDF format files should be attached in Item 21.2; and the DWG files attached in Item 21.5.** The **PDF** files should be submitted with a scanned image of the engineer seal signature, as provided by the **Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects Regulations** at §18VAC10-20-760.B², and with the IdenTrust PKI³.

¹ This Memorandum is to be considered a guideline issued under the authority of § 45.1-230.A1 of the Code of Virginia which reads:

"In addition to the adoption of regulations under this chapter, the Director may at his discretion issue or distribute to the public interpretative, advisory or procedural bulletins or guidelines pertaining to permit applications or to matters reasonably related thereto without following any of the procedures set forth in the Administrative Process Act (§ 2.2-4000 et seq.). The materials shall be clearly designated as to their nature, shall be solely for purposes of public information and education, and shall not have the force of regulations under this chapter or under any other provision of this Code."

² A copy of this regulation is attached at the end of this memorandum.

³ PKI – public key infrastructure, see http://www.identrust.com/certificates/pki_basics.html

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Additional items such as Microsoft Word documents (which would include DMME forms) may also be signed digitally. These items would continue to be attached in the electronic application in the sections where they are currently required. Please contact DMME directly about other specific document formats, procedures, and tools which may be used to sign and seal documents using IdenTrust certificates.

It should be noted that only final documents must be signed and sealed. This would include as-built plans and drawings and any plans, drawings, and maps that have gone through review and been approved by DMLR and DM.

Costs and other information

You may obtain an ACES certificate through the IdenTrust ACES Certificate Center. The cost for each individual signature certificate is \$119 for an affiliated business representative and is good for two years from date of purchase. (The certificate must be used within one year of issuance.) The user will be required to provide a graphical signature as well as the PKI signature and seal.

The user will receive an email from IdenTrust 90 days before the certificate expires with information on how to renew the certificate. Additional reminders by email will be sent by IdenTrust, usually within 30 days, 15 days, 7 days, etc. of the certificate's expiration date. Renewal of a certificate may be accomplished through IdenTrust's Certificate Management section⁴.

Should you have any questions regarding this guidance memorandum, please contact the DMLR Chief Engineer at (276) 523-8156 or the DM Safety Engineer at (276) 523-8231.

⁴ http://www.identrust.com/certificates/cert_management_center.html